

Message Text

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ACTION AF-10

INFO OCT-01 ISO-00 HA-05 SS-15 /031 W
-----125620 221830Z /42
R 221152Z DEC 77
FM AMEMBASSY LILONGWE
TO SECSTATE WASHDC 1500

C O N F I D E N T I A L SECTION 1 OF 2 LILONGWE 2168

STADIS////////////////////////////////

FOR ASSISTANT SECRETARY MOOSE FROM AMBASSADOR STEVENSON

E.O. 11652: GDS
TAGS: SHUM, EAID, PINS, MI, US
SUBJECT: UNCLASSIFIED HUMAN RIGHTS REPORT ONMALAWI

REF: A. LILONGWE 2065; B. STATE 301413; C. STATE 303173

1. I HAVE STUDIED CAREFULLY YOUR THOUGHTFUL REPLY TO
REFTEL A WHICH WAS MUCH APPRECIATED. YESTERDAY WE RECEIVED
AF'S REVISIONS WHICH ARE BEING MADE IN ACCORDANCE WITH
PARAGRAPH 7 OF REFTTEL B. IT IS WITH NO RELISH THAT I
CONTINUE THIS EFFORT BECAUSE, ALTHOUGH I RESPECT BANDA'S
PERSONAL ACCOMPLISHMENTS IN LIFE AND HIS POSITION AS AN
AUTHENTIC AFRICAN INDEPENDENCE LEADER, I DEPLORE HIS
CURRENT ROLE AND STYLE OF LEADERSHIP AND THE FACT THAT HE
IS NOW ALL TOO OFTEN A LEADEN HAND ON INITIATIVE AND
DECISION MAKING. I DO CREDIT HIM WITH BEING SINCERELY
MOTIVATED IN TRYING TO HELP HIS PEOPLE TO RAISE THEIR
LIVING STANDARDS AND EDUCATIONAL LEVELS AND FEEL A CERTAIN
COMPASSION FOR HIM IN HIS SITUATION.

2. FORGETTING OUR RELATIONS AND THE "DIRE CONSEQUENCES"
TO THEM (TO USE THE DEPARTMENT'S WORDS) WHICH I BELIEVE
THIS REPORT COULD BRING, AND FOCUSING JUST ON THE
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SHARED CONCERN AND GOAL OF BETTERING HUMAN RIGHTS IN
MALAWI, I JUST DO NOT BELIEVE THAT SCOURGING BANDA
UNTIL IT "STINGS" IS THE WAY TO TACKLE THE PROBLEM. HE HE
IS MUCH MORE LIKELY TO RESPOND POSITIVELY TO A DALE CARNEGIE
TREATMENT, PERSUASION, AND DIPLOMACY. SINCE OUR DISCRETION
IN THIS RESPECT SEEMS TO BE LIMITED BY LAW, I AM URGING
ONLY THAT WE TRY TO MAKE THIS REPORT FACTUAL, BALANCED, AND

REASONABLY CONCENTRATED ON THE CURRENT IMPROVED SITUATION.
I DO NOT BELIEVE THE REVISIONS ACCEPTED SO FAR HAVE ACHIEVED
THIS.

3. WITH THIS IN MIND, I SHOULD LIKE TO TRY ONCE MORE
TO PERSUADE YOU TO MAKE AT LEAST A FEW MORE CHANGES WHICH
I THINK WOULD GIVE THE REPORT A BETTER BALANCE AND MIGHT
SOMEWHAT SOFTEN ITS IMPACT ON BANDA PERSONALLY. I WAS
PLEASED TO GET YOUR EMPHATIC COMMENT ON WHAT WERE APPARENTLY
MY MISCONCEPTIONS AS TO THE ATTITUDES IN PARTS OF AF
ABOUT BANDA AND WOULD SUGGEST THAT THE POSITIVE POINTS
NOTED IN THE RESPONSE AF HAS GIVEN TO THESE COMMENTS MIGHT
WELL BE INCLUDED AT SOME POINT IN THE HUMAN RIGHTS REPORT.

4. SPECIFICALLY, I HAVE THE FOLLOWING RECOMMENDATIONS:

1.A. TORTURE - I DO NOT KNOW THE TIME FRAME OF
THE AI ALLEGATION BUT I FIND NO REPEAT NO MENTION
OF "TORTURE" OR "BRUTALITY" IN AI'S INTERNATIONAL REPORT FOR
1977. ARE WE TO BE MORE PAPIST THAN THE POPE? THE
MALAWI DESK WILL BE ABLE TO CONFIRM THAT IN THE PAST YEAR
WE HAVE BEEN MUCH MORE KNOWLEDGEABLE ON THE SUBJECT OF
POLITICAL DETAINEES IN MALAWI THAN HAS AI. MOST OF OUR
INFORMATION WITH REGARD TO THE TREATMENT OF POLITICAL
DETAINEES HAS COME SINCE LAST JUNE WHEN THE FIRST DRAFT
REPORT WAS CLEARED BY ME. BASED ON OUR TALKS WITH A
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NUMBER OF EX-DETAINEES, INCLUDING OUR OWN LOCAL EMPLOYEE
JUSTIN FUNSANI, AND OTHER CONVERSATIONS WITH VARIOUS EX-
DETAINEES OVER THE PAST 5 MONTHS, I FEEL THAT WE CAN AND
SHOULD CLEARLY STATE THAT THERE IS NO EVIDENCE TO SUGGEST
THAT THE PRACTICE OF FORTURE IS OFFICIALLY ALLOWED OR
CONDONED BY THE GOM. WE ESTIMATE NOW THAT WE HAVE FEED-
BACK FROM 25-30 EX-DETAINEES AND NOT ONE HAS COMPLAINED
OF TORTURE. IN ONE SPECIFIC CASE OF A "HARD CORE"
POLITICAL DETAINEE, IN ANSWER TO A QUESTION AS TO HIS
TREATMENT, HE STATED THAT IN 1964 WHEN HE WAS FIRST DETAINED
HE WAS BADLY TREATED, BUT THAT DURING HIS SECOND DETENTION
IN 1973-76, HE WAS NOT PHYSICALLY MISTREATED. IN OTHER
WORDS, ON THIS EXTREMELY SENSITIVE ACCUSATION OF
UTILIZATION OF TORTURE, I THINK ALL EVIDENCE OF THE PAST
THREE OR FOUR YEARS SUGGESTS THE GOM SHOULD BE GIVEN A
CLEAN BILL. I DO NOT THINK, THEREFORE, THAT THE
UNSUPPORTED ALLEGATION SHOULD BE INCLUDED.

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C O N F I D E N T I A L SECTION 2 OF 2 LILONGWE 2168/2

STADIS////////////////////////////////

FOR ASSISTANT SECRETARY MOOSE FROM AMBASSADOR STEVENSON

1.B. CRUEL, INHUMAN OR DEGRADING PUNISHMENT -
IN REFTTEL A, WE CITED SEVERAL POSITIVE FACTORS WHICH,
IN MY OPINION, SHOULD BE ADDED TO THIS PARAGRAPH TO GIVE
IT THE COMPLETENESS AND BALANCE WE BOTH DESIRE. I SEE NO
REASON WHY THIS CANNOT BE DONE. AS TO COMPARING CONDITIONS
TO THE WESTERN NORM, I WOULD ONLY NOTE THAT IF THE
MALAWIAN PRISONERS WERE GIVEN CONDITIONS APPROACHING THE
WESTERN NORM, THEY WOULD LIVE BETTER THAN 99 PERCENT OF THE REST
OF THE POPULATION AFD I EXPECT THIS WOULD BE TRUE OF
MOST OTHER COUNTRIES IN AFRICA.

2.A. RESPECT FOR CIVIL AND POLITICAL LIBERTIES.
I STILL THINK THERE IS A REAL AND MEANINGFUL DIFFERENCE IN
THE COLORATION GIVEN HERE THROUGH USE OF THE TERM
"INFORMERS". TO ME AND TO WEBSTER THIS IS A PEJORATIVE
TERM WHICH APPLIES TO SELLERS OF INFORMATION WITH TIES
TO THE SECRET POLICE WHICH IS JUST NOT REPEAT NOT THE
CASE HERE.

I ALSO CONTINUE TO FEEL STRONGLY THAT THE INCLUSION
OF COMMENTS ON THE LENGTH OF MEN'S HAIR AND THE HEIGHT OF
SKIRT HEMS ARE NOT OF SUFFICIENT IMPORTANCE TO BE INCLUDED
IN A SERIOUS REPORT ON HUMAN RIGHTS. TO ME IT STILL
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SEEMS A GRATUITOUS INTERVENTION INTO MALAWIAN INTERNAL
CUSTOMS AND FOLKWAYS. WOULD NOT THE GOM BE EQUALLY JUSTIFIED
IN CRITICIZING THE USG FOR PERMITTING ITS MEN TO HAVE
ONLY ONE WIFE, OR FOR PROHIBITING THE DISCREET RELIEVING OF

BODILY FUNCTIONS IN PUBLIC PLACES WHICH IS ACCEPTED
HERE BUT FOR WHICH A GERMAN ACQUAINTANCE, CAUGHT
BETWEEN HOWARD JOHNSONS ON THE NEW HERSEY TURNPIKE, WAS
ARRESTED AND FINED. WHAT I AM SAYING IS THAT IT IS
"POINTLESS" AND NEEDLESSLY IRRITATING TO LEAVE IT IN.

2.B. FREEDOM OF MOVEMENT. IN SECOND
SENTENCE, DROP WORD "REPORTEDLY". FIRST SENTENCE IN SECOND PART
DELETE "ROUTINELY" AND SUBSTITUE "OFTEN". JUST THIS
WEEK WE HAVE LEARNED THAT FORMER VICE PRINICIPAL MWANZA
OF CHANCELLOR COLLEGE HAS BEEN GIVEN A PASSPORT IN ORDER
THAT HE MAY TRAVEL TO NAIROBI AND THE STATES TO
SEEK EMPLOYMENT. AFTER SECOND SENTENCE, INSERT FOLLOWING
SENTENCE: "EXERCIZE OF THIS POWER, HOWEVER, DROPPED
SIGNIFICANTLY IN 1977. THE TOTAL OF THESE (HEADS OF FAMILIES)
1975 WAS 69; IN 1976, 90; AND IN 1977,5.

2. C. DEMOCRATIC PROCESSES. ONCE AGAIN, IN ORDER
TO GIVE THIS PARAGRAPH A BETTER BALANCE, WHY CAN'T
WE MAKE THE FACTUALLY CORRECT STATEMENT THAT THERE IS
A REAL DEGREE OF GRASS ROOTS DEMOCRACY AS STATED IN
REFTEL A? THE PRESENT PHRASING TO THE AVERAGE READER
IMPLIES DOUBTS THAT THERE IS ANY.

3.A. RECENTTRENDS. NEXT TO LAST SENTENCE RECOMMEND
DELETION OF WORD "ARTIFICALLY". WHO IS TO MAKE THIS
JUDGEMENT? DO OUR FARMERS RECEIVE "ARTIFICALLY" HIGH PRICES
UNDER OUR PRICE SUPPORT SYSTEM? ALSO URGE THE ADDITION
TO THIS PARAGRAPH OF THE LAST SENTENCE IN REFTEL A
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RE "FOOD CLOTHING, AND HOUSING".

5. GOVERNMENT ATTITUDE. RE FIRST SENTENCE, SINCE WE
ARE ASCRIBING THE POINT DIRECTLY TO PRESIDENT BANDA,
RECOMMEND THAT "ABSOLUTE AUTHORITARIANISM" BE DELETED
AND THAT "CENTRALIZED CONTROL" BE INSERTED. SECOND
SENTENCE RECOMMEND DELETION "NO PROSPECT" AND SUBSTITUTION
WITH "LITTLE PROSPECT".RE LAST LAST SENTENCE, CONCERNING
FOREIGN JOUNALISTS, DELETE "PERMITTED" AND SUBSTITUTE
"INVITED".
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